RECORDS MANAGEMENT – RECORDS RETENTION & DISPOSITION

SESSION 3 OF 7 ON RECORDS MANAGEMENT

SESSION GUIDELINES AND GENERAL INFORMATION

SESSION 3 OF 7 ON RECORDS MANAGEMENT

PRESENTER(S)

Karen Gray
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And / or
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And / or
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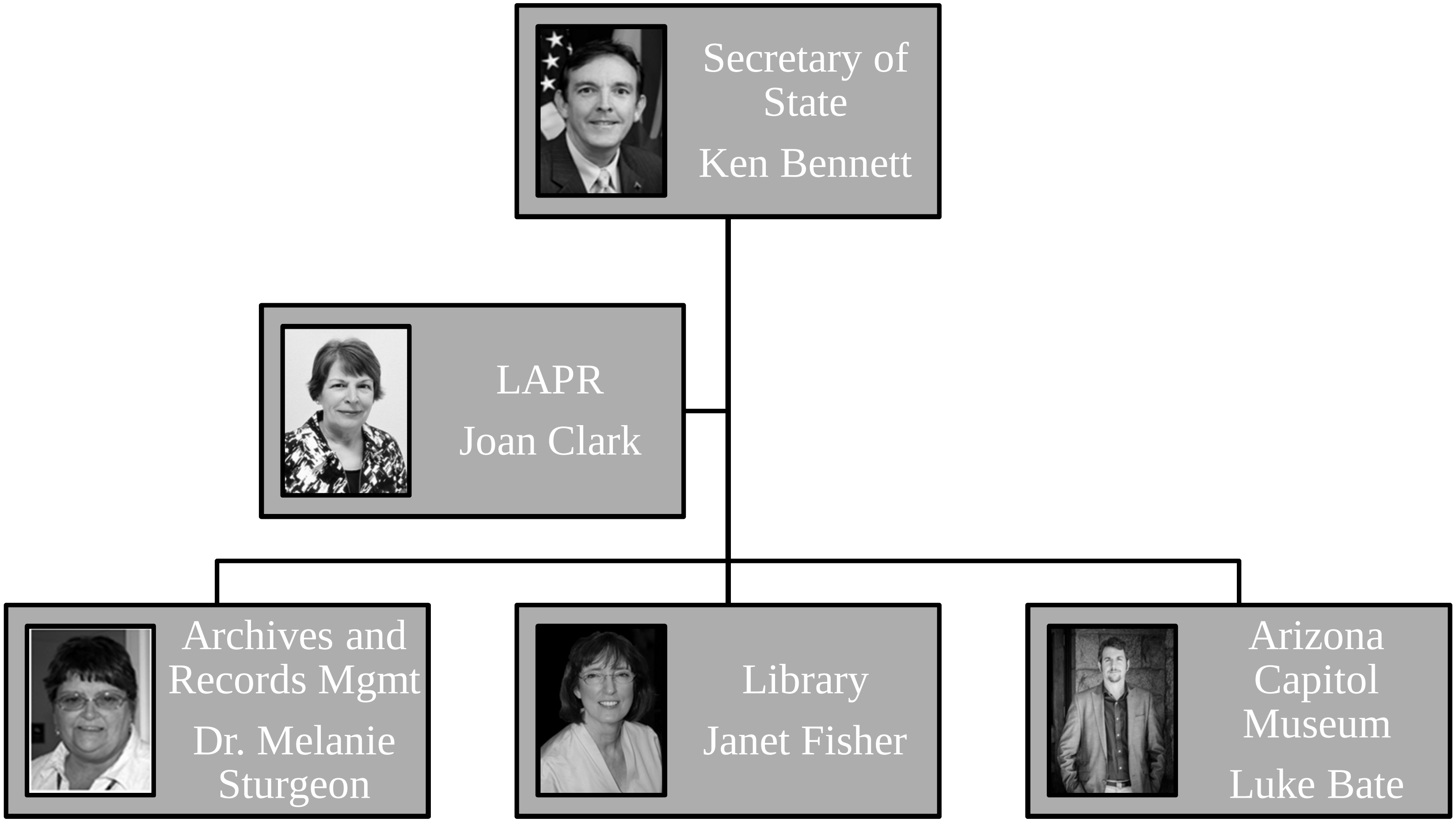
State Archivist
Archives and Records Management
Library, Archives and Public Records
Arizona Secretary of State

LIBRARY, ARCHIVES AND PUBLIC RECORDS (LAPR) ORGANIZATION AS A STATE AGENCY



Secretary of State

Ken Bennett

LAPR

Joan Clark

Archives and Records Mgmt

Dr. Melanie Sturgeon

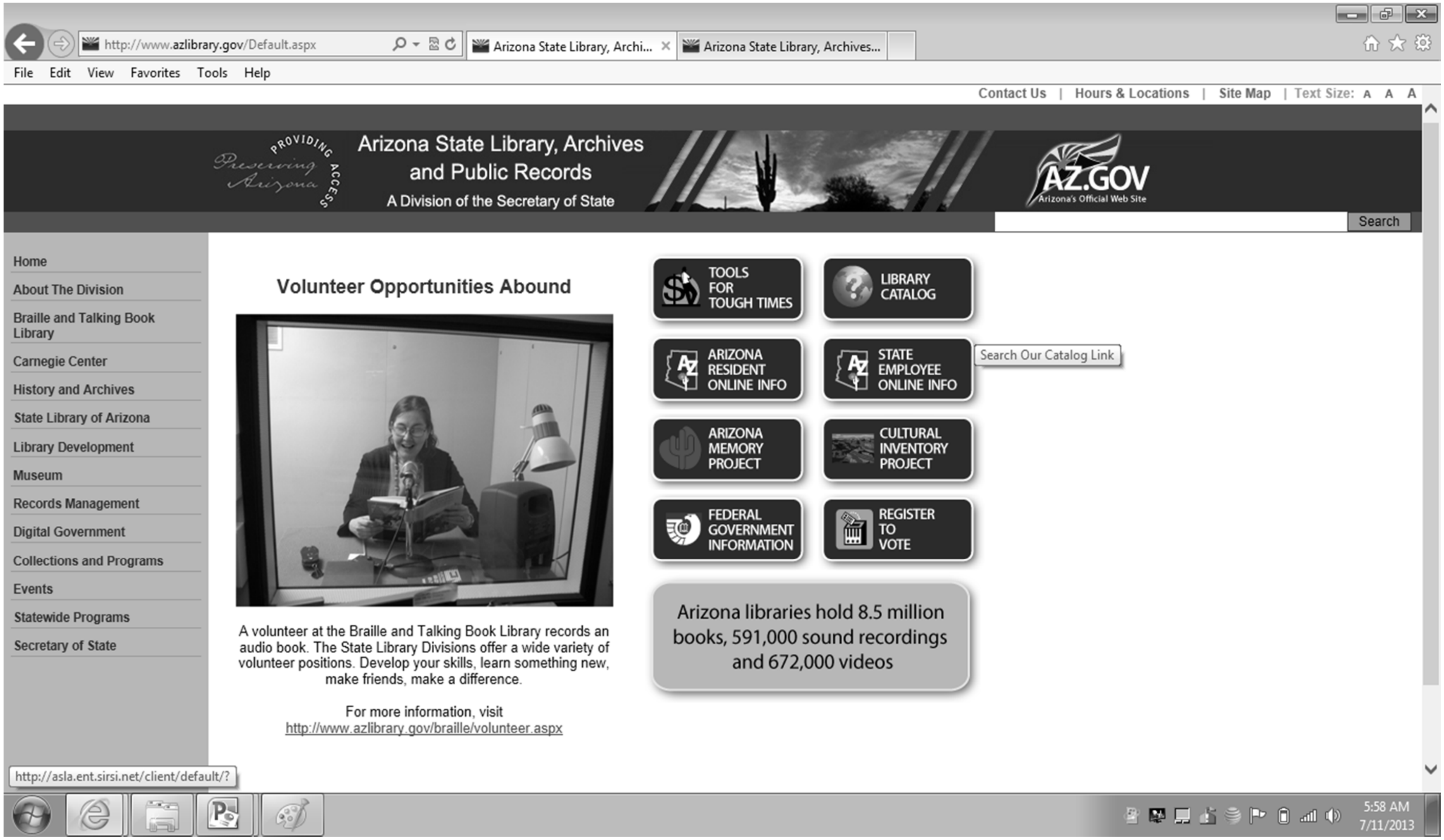
Library

Janet Fisher

Arizona Capitol Museum

Luke Bate

LAPR WEBSITE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Arizona State Library, Archi...
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PROVIDING ACCESS
Preserving Arizona
Arizona State Library, Archives and Public Records
A Division of the Secretary of State
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Braille and Talking Book Library
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Museum
Records Management
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Events
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TOOLS FOR TOUGH TIMES
LIBRARY CATALOG
Search Our Catalog Link
ARIZONA RESIDENT ONLINE INFO
STATE EMPLOYEE ONLINE INFO
ARIZONA MEMORY PROJECT
CULTURAL INVENTORY PROJECT
FEDERAL GOVERNMENT INFORMATION
REGISTER TO VOTE
http://asla.ent.sirsi.net/client/default/?
5:58 AM
7/11/2013

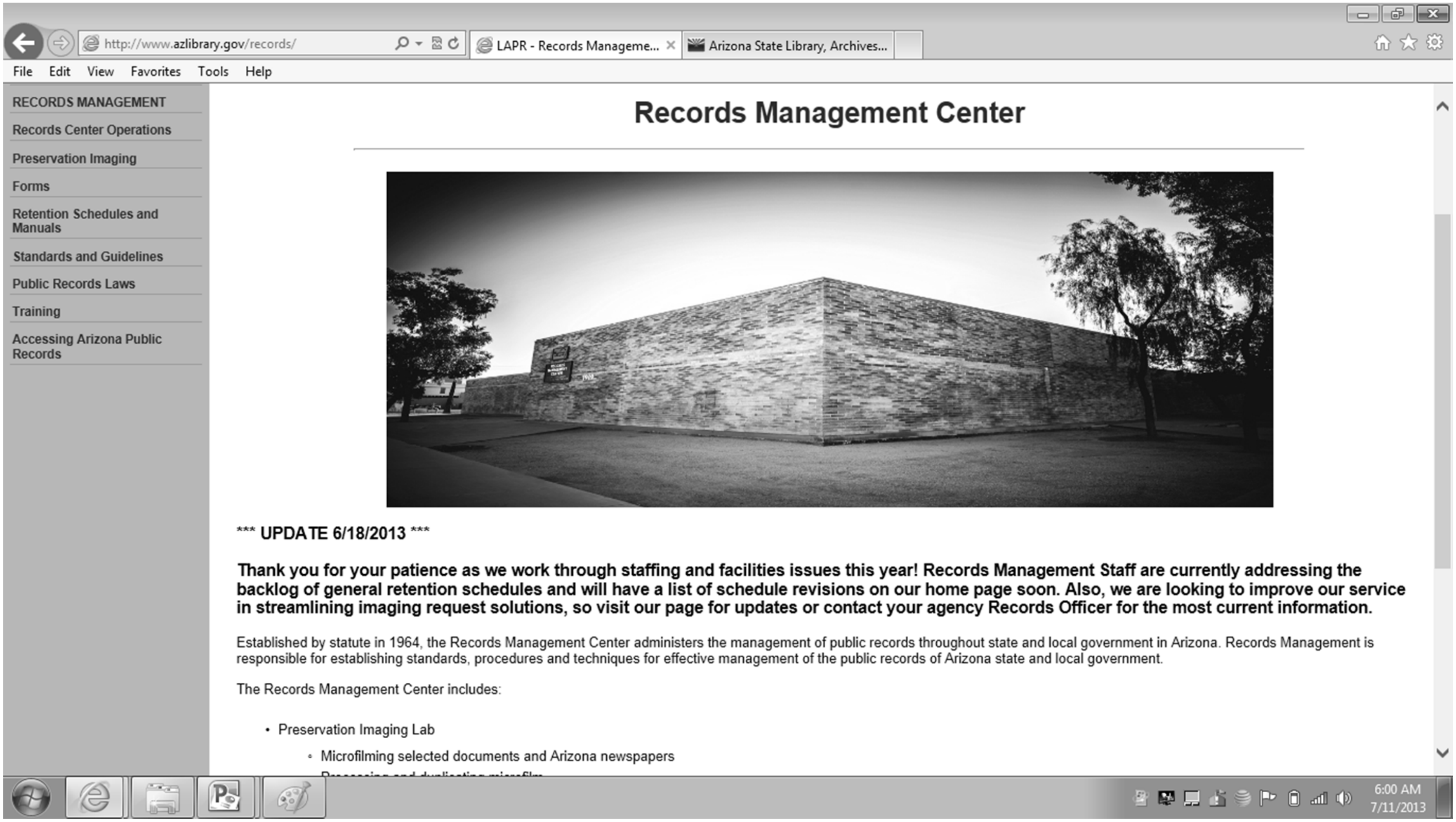
Volunteer Opportunities Abound

A volunteer at the Braille and Talking Book Library records an audio book. The State Library Divisions offer a wide variety of volunteer positions. Develop your skills, learn something new, make friends, make a difference.

For more information, visit http://www.azlibrary.gov/braille/volunteer.aspx

Arizona libraries hold 8.5 million books, 591,000 sound recordings and 672,000 videos

RECORDS MANAGEMENT CENTER WEBSITE


http://www.azlibrary.gov/records/
LAPR - Records Manageme...
Arizona State Library, Archives...
File
Edit
View
Favorites
Tools
Help
RECORDS MANAGEMENT
Records Center Operations
Preservation Imaging
Forms
Retention Schedules and Manuals
Standards and Guidelines
Public Records Laws
Training
Accessing Arizona Public Records
6:00 AM
7/11/2013

Records Management Center

***** UPDATE 6/18/2013 *****

Thank you for your patience as we work through staffing and facilities issues this year! Records Management Staff are currently addressing the backlog of general retention schedules and will have a list of schedule revisions on our home page soon. Also, we are looking to improve our service in streamlining imaging request solutions, so visit our page for updates or contact your agency Records Officer for the most current information.

Established by statute in 1964, the Records Management Center administers the management of public records throughout state and local government in Arizona. Records Management is responsible for establishing standards, procedures and techniques for effective management of the public records of Arizona state and local government.

The Records Management Center includes:

- Preservation Imaging Lab
    - Microfilming selected documents and Arizona newspapers

GENERAL GUIDANCE FOR ON-LINE SESSIONS

1. Please remember that while you are in the on-line classroom, all other participants **can hear everything** you say (even in the background), and **can see everything** you write on the whiteboard.

2. I will be muting All participants to help with sound distortion.

3. Please make sure that all phones are muted during the sessions. **Press *6 and your phone will be muted**.

4. Feel free to submit notes during session for discussion. If you would like to **send a note / comment,** please **send to "all"** so that everyone can see the question and then hear the answer to that question.

5. Please raise your hand if you wish to speak

6. Take a vote: How many of you are participating in today's session with a group of co-workers?

7. If so, how many of you are there in your group? (Send # as a note)

8. At the end of the training, **I will be taking questions**. Write down any questions you have during the session, and **we will have an opportunity to ask them at the end**.

ALL RECORDS MANAGEMENT IN ARIZONA IS GOVERNED BY ARIZONA REVISED STATUTES (ARS)

- In Arizona, **everything that we do** in Records Management is governed by Arizona Revised Statutes (ARS).

- The ARS that govern Records Management are:

  § 41-151.14 – §41-151.19

  and

  Portions of **§39-101 – §39-128**

- The purpose of this training today is to discuss the management of electronic records.

WHAT IS A “RECORD”

41-151.18. Definition of records

In this article, unless the context otherwise requires:

- **"records"** means all books, papers, maps, photographs or other documentary materials,
- **Regardless of physical form or characteristics**, including prints or copies of such items produced or reproduced on film or electronic media pursuant to section 41-151.16,
- **Made or received by any governmental agency** in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor
- **As evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained in the record**, and includes records that are made confidential by statute.

WHAT IS NOT A RECORD

41-151.18. Definition of records - continued

Not included within the definition of records as used in this article:

- **Library or museum material** made or acquired solely for **reference or exhibition purposes**,
- **extra copies of documents preserved only for convenience of reference**
- **and stocks of publications or documents intended for sale or distribution to interested persons**

PRINCIPLES OF RECORDS MANAGEMENT

SESSION 3 OF 7 ON RECORDS MANAGEMENT

RECORDS MANAGEMENT . . .

. . . is a program designed to help you by having the **right information** at the **right time** at the **right place** for the **right price**.

BENEFITS

The benefits of having a good Records Management Program in place:

- Make proper decisions about the information your create or receive
- Protect the rights of individuals
- Ensure government accountability
- Minimize risk

  Keeping records LONGER than the retention period is a risk

LIFE CYCLE OF A RECORD

Creation

Useful Life --
Active: storage on-site or active servers
Inactive: Storage off-site or off-line

Disposition

WHAT ARE OUR **RECORDS MANAGEMENT RESPONSIBILITIES** AS CUSTODIANS OF RECORDS?

- Security of information while in our custody
- Retention for A SPECIFIC time period per an approved Retention Schedule (General or Custom)
- Preservation of Records in our custody:
  - **Carefully protect and preserve the records** from deterioration, mutilation, loss or destruction
  - Shall **cause them to be properly repaired and renovated**.

THE FOUR (4) HORSEMEN OF THE RECS. MGMT. APOCALYPSE - WATER DAMAGE, MOLD, AND TERMITES?

You are not alone in the event of an records emergency – it will just FEEL that way in the beginning.

Water Damage Resource:

- See the following Standard Operational Procedure (SOP) and Forms from the RMC website:
- http://www.azlibrary.gov/records/Standards_and_Guidelines.aspx

Mold Damage Resource:

See the Northeast Document Conservation Center for a Mold resources:

http://www.nedcc.org/free-resources/preservation-leaflets/3.-emergency-management/3.8-emergency-salvage-of-moldy-books-and-paper

Termites, Fire and Vandalism Damages Resource:

See the Northeast Document Conservation Center for a Termite / Pest resources:

http://www.nedcc.org/free-resources/preservation-leaflets/3.-emergency-management/3.1-protection-from-loss-water-and-fire-damage,-biological-agents,-theft,-and-vandalism

BASIC DEFINITIONS OF RECORDS MANAGEMENT

Retention Schedule –

- Are simply **timetables**, composed of records series and retention periods, that identify the length of time records **must be kept prior** to final disposition (destruction or historical archiving).

Records Series –

- A group of like records that are filed together and treated as a unit for records management purposes.
- A records series may consist of many separate files, but it is treated as a single unit for all purposes relating to records retention.
- A familiar example is "personnel files" one of which exists for every employee in the organization. Even though there may be hundreds or thousands of these files, they are referred to as a records series – "personnel files" - for records retention purposes

Retention Period –

- The approved, legal, minimum amount of time each specific records series **shall** be kept. It is **illegal** to keep a records series for LESS than the retention period

BASIC DEFINITIONS OF GOVERNMENT ENTITIES

State Agencies –

- Term specifically applying to State Agencies, Boards and Commissions. A good breakdown of all State Agencies can be found on the AZ.GOV website

Local Agencies –

- Term applies to public bodies that are NOT State Agencies: **Community Colleges, Counties, Fire Districts, Municipalities, School Districts and Charter Schools, and Special Districts**

All Public Bodies –

- Term applies to the **combination of** State Agencies and Local Agencies (See §ARS 39-121.01)

TWO TYPES OF RETENTION SCHEDULES

General Records Retention Schedules

- General schedules are comprised of record series that are **common to all** State and Local Agencies (public bodies).
- A general schedule is developed to **cover all the like offices and records groups** in State and Local Agencies.
- The general retention schedules **ensure consistent and standardized retention periods** for similar record series from various agencies.

Custom Records Retention Schedules

- Custom Schedules are **created for one specific public body**, and covers **records series that are unique** to that particular public body
- OR, cover **a retention period that is different** from the General Schedule(s) and **applies only to one specific** public body

3 MAIN PARTS OF A RETENTION SCHEDULE

- Name and then Describe the record series –

  (Includes the following…)

- **Retention Period –**
  - State the specific minimum length of time each record series needs to be kept

- May Provide Instructions for cutoff, retirement and / or final disposition of the records series

SETTING A CUT-OFF POINT

- It is the point from which retention periods are calculated. Often called the “**trigger**” for when retention begins

- It is also the basis upon which records are transferred to inactive storage. (Move from **Active to Inactive records**)

- Two of the more common cut-off points
  - **Time based**: such as "after the calendar year (CY) received" or "after the fiscal year (FY) created.“
  - **Event based**: such as "after project is closed" or "after date of termination of employment“

EXAMPLE OF RETENTION SCHEDULE

- **Records Series Number**: 12.
- **Records Title and Description**: Employee Personnel Records
- (for full-time, part-time, contract, seasonal, interns, volunteer, appointed, or elected positions. **Including** applications, resumes, performance reviews, disciplinary records, records documenting employee pay decisions, loyalty oaths and oaths of office, conflict of interest and personal interest disclosure records, confidentiality agreements, policy acknowledgements, exit interviews, drivers' qualifications, training, and pre-employment background check records.)
- **Cut-off Point and Retention Period**:
- a. **Official copy**…………………………………. 5 years after employee terminated
- b. **Supervisors' and other non official copies**… 6 months after employee terminated or transferred
- c. **Contract Employees**………………………… 6 years after contract expired canceled or revoked

WHY WE REVISE / UPDATE RETENTION SCHEDULES

- **New records series are created**
  - Series overlooked in inventory
  - Series resulting from new programs or responsibilities

- **Need to revise current Retention Schedules**
  - Inadequate retention periods - increase or decrease
  - Lack of clarity in the records series or the retention period

  - Need to review Retention Schedules for revision every year or two

SCHEDULED RECORDS VS. UNSCHEDULED RECORDS

Scheduled records series

- These are records series that have been placed on an approved Retention Schedule, have an assigned retention period, and can be destroyed by following a General or Custom Schedule

Unscheduled records series

- These are records series that have NEVER been placed on an approved Schedule
- Have NEVER been assigned a retention period,
- **CANNOT be destroyed** UNTIL
  - they are **placed on** an approved schedule,
  - OR,
  - approved for destruction via **completing and submitting** to the LAPR – RMC the **following form**: *Pre-approval for Unscheduled Records Disposition*

GENERAL SCHEDULES

- General Schedules exist for the following **Seven (7) Types** of Public Bodies in Arizona:
  - Community Colleges and Districts
  - Counties
  - Fire Districts
  - Municipalities
  - School Districts
  - Special Districts (“Catch-all category for Lighting Districts, Irrigation Districts, Library Districts, etc.)
  - State Agencies, Boards & Commissions

All General Schedules are located at the following Link:

http://www.azlibrary.gov/records/schedules_and_manuals.aspx

ROLE OF INFORMATION TECHNOLOGY (I.T.) IN RM

How Your Information Technology Department Can Assist You in Records Management

- Understand State or Local Agency’s Retention Schedules, and how retention periods apply equally to paper and electronic records, regardless of where the records are stored.
- Take steps to manage e-records OR assist with e-records
- Program databases to facilitate responding to public record requests
- Maintain an inventory of all places e-records may be stored: smart phones / devices, servers, individual computer hard drives, shared drives, personal drives, removable storage media, personal digital assistants, home computers

WHAT AND WHY OF A RECORDS INVENTORY?

What is a Records Inventory:

- The records inventory **identifies and quantifies the records created and received by an agency**.
- The inventory is the **first step in the development of a public body's records program**
- Becomes the **working document for records retention and disposition schedules**, file plans and essential records programs.
- Simply defined, the records inventory is **a list of each record series**, together with **an indication of where it is located** and **other pertinent data**.
- The inventory **is NOT**:
  - A document by document listing
  - A folder by folder listing

Why create a Records Inventory:

- **The first step in developing records retention and disposition schedules**
- Is the **foundation to determining what records exist** in an public body.

METHODS OF TAKING A RECORDS INVENTORY

Three methods of taking an inventory:

- Questionnaire

- Consultation

- Physical Inventory

For more detailed information on Records Inventories, please refer to the following from the RMC Website:

- http://www.azlibrary.gov/records/Standards_and_Guidelines.aspx
- Look for: Tip Sheets
- Then look for: Records Inventory

RECORDS APPRAISAL

- Retention periods are based on:
    - Statute
    - Historic = Permanent
    - Business need for record
- Records appraisal is the process used to determine the value of a record series
- The value of the records series determines the retention period for the records series
- All records have value to the organization creating or receiving them
- Some records have permanent value and warrant preservation by an archives

FOUR (4) MAIN VALUES OF RECORDS

- **Legal**
  - **Retention periods are among the longest for these records**

- **Fiscal**
  - **Retention is based on audit cycle**

- **Administrative**
  - **Retention is open-ended based upon your need for these records, or the reference value of these records**

- **Historic**
  - **These are the only records that have a PERMANENT retention period. Permanent records = 500 + years of retention**

LEGAL VALUE

Specific legal requirements to keep records for a given period of time can be found in the Arizona Revised Statutes (ARS), United States Code (USC), and Code of Federal Regulations (CFR)

Examples of Records with Legal Value:

- Contracts
- Agreements
- Federal or state statutory or regulatory requirements

FISCAL VALUE

Sometimes a record may be needed to document the audit trail of monies. These requirements may or may not be legislated or regulated

Examples of Records with Fiscal Value:

- Budget records
- Expenditure ledgers
- Credit card reports

ADMINISTRATIVE VALUE

Records with administrative value are those records that are needed to conduct an office’s daily business. These records are common across all types of offices and public bodies

Examples of Records with Administrative Value:

- Procedure manuals
- Retention schedule
- Memos
- Reports

HISTORIC VALUE

- Records with historical value document the history of the government and the community.
- Any record series listed as permanent on a general retention schedule **should be transferred to the State Archives** after the records become inactive **and** when the agency or political subdivision no longer wishes to maintain those records. You can reach the State Archives at 602-926-3720 or 800-228-4710 to discuss the transfer of the records.

Examples of Records with Historic Value:

- Governors' papers
- Wills, land records, and marriage records
- Directors' correspondence
- Agency histories

DEFINITION OF HISTORIC RECORD

If a record is **historic or historically significant**, it is a permanent record. Records are deemed **historic or historically significant** when they:

- Document a controversial issue
- Document a program, project, event or issue that results in a significant change that affects the local community, city, county or state
- Document a program, project, event or issue that involves prominent people, places or events
- Document a program, project, event or issue that resulted in media attention locally, statewide or nationally

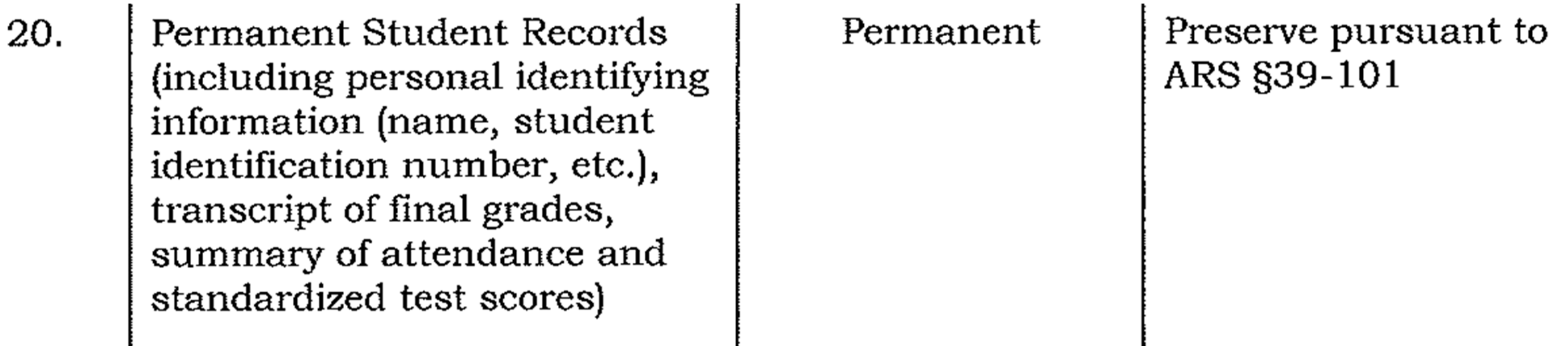
PERMANENT RECORDS ARE UNIQUE AND MUST BE RETAINED IN SPECIFIC FORMATS

ARS §39-101 – Defines a Permanent Record

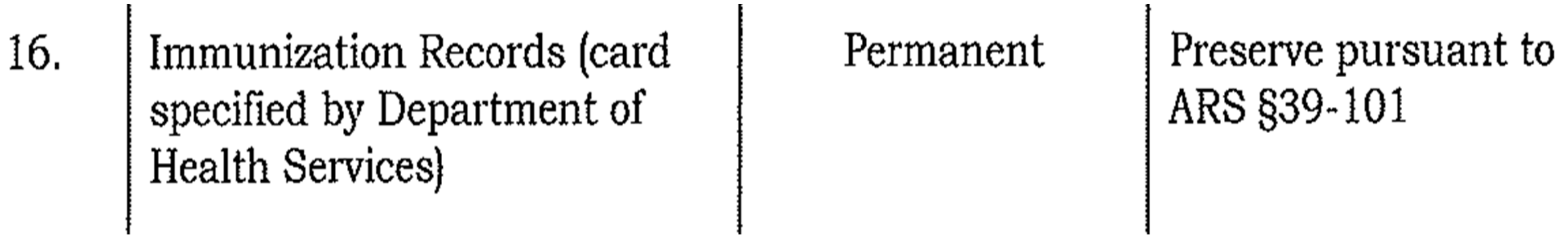
- A. Permanent public records…shall be transcribed or kept **on paper or other material which is of durable or permanent quality**
- and which **conforms to standards established** by the director of the Arizona state library, archives and public records.
- B. Permanent public records transcribed or kept as provided in subsection A **shall be stored and maintained according to standards for the storage** of permanent public records established by the director of the Arizona state library, archives and public records.
- C. A public officer charged with transcribing or keeping such public records **who violates this section is guilty** of a class 2 misdemeanor.

- **Standards for Permanent Records** are located on the RMC website:
- **http://www.azlibrary.gov/archives/documents/pdf/Standard%20for%20Permanent%20Records_April%2023%202013_Signed.pdf**

PERMANENT STUDENT RECORDS



20.	Permanent Student Records (including personal identifying information (name, student identification number, etc.), transcript of final grades, summary of attendance and standardized test scores)	Permanent	Preserve pursuant to ARS §39-101



16.	Immunization Records (card specified by Department of Health Services)	Permanent	Preserve pursuant to ARS §39-101

All schools are required to **use the Arizona School Immunization Record (ASIR109R), or a facsimile that completely matches the design and format of the ASIR.** Many schools now use software systems that enable them to keep track of immunization histories and other student data electronically. Some of the systems have student immunization templates that match the ASIR109R format precisely. These systems enable schools to print out records with all the student information filled so that nothing needs to be hand-written. These records are acceptable as long as they are an exact match for the ASIR109R. This means that all the same fields are in the same places and all the text on the form matches that of the official ASIR. **Records that contain all the same information, but lack the format of the ASIR109R are not acceptable**.

TIME TO DISPOSE OF RECORDS

- **What do I do when my Records Retention Schedule says it is time to destroy records?**

- Check with others (record creator, record user(s), Risk Management and your Legal departments) and see if there is pending or imminent litigation

- Check and see if there is an on-going or imminent audit

- Check and see if there is a government investigation

RECORDS RETENTION CAVEAT

- Q: When Is a Retention Period NOT a Retention Period?
- A: When It is TRUMPED by Litigation, Audit or Government Investigation

- Wording used on the Cover Sheet of ALL Retention Schedules:
- **Records required** for ongoing or foreseeable official proceedings such as audits, lawsuits or investigations,
- **must be retained until released from such official proceedings**,
- notwithstanding the instructions of this schedule.

CHOOSING THE METHOD FOR RECORDS DESTRUCTION

Do the records contain ANY confidential Information?

If the answer is **NO --**

These are the ways to destroy these records:

- Recycle
- Landfill

If the answer is **YES** –

More care must be taken with these records. They can be destroyed the following ways:

- Shred
- Burn

Why the difference for Confidential Information?

- See ARS ***ARS §44-7601***

THE RECORDS HAVE BEEN DESTROYED AFTER THE END OF THEIR RETENTION PERIOD. NOW WHAT?

If Records **were destroyed based upon the retention period** in an approved Retention Schedule, **then -**

- No approval is needed from LAPR **BEFORE destroying** records.
- After records have been destroyed based upon an approved Retention Schedule and retention period – Complete and Send to the RMC – LAPR the following form:
- Certificate of Records Destruction
- Certificates of Records Destruction MUST be filed at least once annually

- Certificates of Records Destruction are Located on the RMC website:
- http://www.azlibrary.gov/records/documents/forms/Certificate%20of%20Records%20Destruction%208.2013.pdf

THE RECORDS HAVE BEEN ACCIDENTALLY AND PREMATURELY DESTROYED. NOW WHAT?

If Records **were destroyed BEFORE the retention period** in an approved Retention Schedule, **then -**

- Complete and Send to the RMC – LAPR the following form:
- Notice of Destruction Prior to Records Disposition Date

- This Form is used if records are accidentally destroyed,
- OR if records are destroyed beyond repair by water damage, mold or termites

- Notice of Destruction Prior to Records Disposition Date form are located on the RMC website:
- http://www.azlibrary.gov/records/documents/forms/Notice%20of%20Destruction%20Prior%20to%20Records%20Disposition.pdf

THE RECORDS NEED TO BE DESTROYED, BUT THEY ARE NOT ON A RETENTION SCHEDULE. NOW WHAT?

If Records are **NOT** listed on an approved Retention Schedule, they are considered to be Unscheduled Records and cannot be destroyed **Until -**

- You FIRST Complete and Send to the RMC – LAPR the following form:
- Pre-Approval for Unscheduled Records Disposition

- The Pre-Approval Form will then be reviewed by the RMC and a retention period determined for the unscheduled records

- The RMC will then return the Pre-Approval Form to you with instructions to further retain the records until the end of the retention period just created

- OR, provide approval for you to destroy the unscheduled records

- Pre-Approval for Unscheduled Records Disposition forms are located on the RMC website:
- http://www.azlibrary.gov/records/documents/forms/Pre-approval%20for%20Unscheduled%20Records%20Disposition.pdf

NON-RECORD COPIES . . .

…Should be destroyed in a timely manner.

…They should never be kept longer than the official copy.

…If copies are kept LONGER than the official record, then the copy is no longer a copy and BECOMES the Official Record.

GOT QUESTIONS?

Any Questions?

Please complete an **Evaluation** – in email with on-line session instruction

HELPFUL CONTACTS

Records Management Center (LAPR):
http://www.azlibrary.gov/records/
Phone: 602-926-3815
records@azlibrary.gov

Karen Gray
kgray@azlibrary.gov
Phone: 602-926-3817

Jerry Lucente-Kirkpatrick:
jkirkpatrick@azlibrary.gov
Phone: 602-926-3820

Dr. Melanie Sturgeon:
msturgeon@azlibrary.gov
Phone: 602-926-3720
Toll Free: 1-800-228-4710 (Arizona only)

State Ombudsman's Office
http://www.azleg.gov/ombudsman/default.asp

State Attorney General – Public Records Publication
https://www.azag.gov/sites/default/files/sites/all/docs/agency-handbook/ch06.pdf

AIIM – Global Community of Information Professionals
http://www.aiim.org/

ARMA International:
http://www.arma.org/

Institute of Certified Records Managers (ICRM):
http://www.icrm.org/

National Archives and Records Management (NARA):
http://www.archives.gov/records-mgmt/

National Association of Government Archivists and Records Administrators (NAGARA):
http://www.nagara.org/index.cfm